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ATTORNEY DOCKET NO: 70477RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BURGSTALER et al.
Serial No : 10/089,256
Confirm. No. : 2985
Filed : March 26, 2002
For : ASSEMBLY UNIT...
Art Unit : 3682
Examiner : SMITH Julie Knecht
Dated : March 29, 2004

RECEIVED

APR 05 2004

GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Attached please find references cited in copending application 10/149,685 and Form PTO-1449.

- EP 0 625453 has been cited under Category X in the International Search Report related to the copending application with regard to International claims 1 - 4 wherein the entire document is stated to be relevant. The reference discloses a joint for a windshield wiper yoke. No translation of this reference is available to Applicant at this time. However, Applicant attaches an English language abstract.

- U.S. 4,648,738 has been cited under Category X in the International Search Report related to the copending application with the entire document stated to be relevant to International claims 1 through 3.

- U.S. 5,871,286 has been cited under Category A in the International Search Report

related to the copending application with the entire document stated to be relevant to International claims 1, 2 and 4.

- DE 40 40 151 has been cited under Category A in the International Search Report related to the copending application with the entire document stated to be relevant to International claims 1 and 2. The reference discloses a pedal lever mechanism for motor vehicles with a lever bearing assembly with bearing plates with plastic material bushes designed for easy mounting. No translation of this reference is available to Applicant at this time. However, Applicant attaches an English language abstract.

- U.S. 5,069,586 has been cited under Category A in the International Search Report related to the copending application with the entire document indicated to be relevant to claims 1 through 3.

- U.S. 2,292,128 has been cited under Category A in the International Search Report related to the copending application with the entire document indicated to be relevant to International claim 1.

- U.S. 3,091,795 has been cited under Category A in the International Search Report related to the copending application with the entire document indicated to be relevant to International claim 1.

- U.S. 5,588,338 discloses a fastening device for pedals in motor vehicles. The Examiner related to the copending application considers that the present invention (claims 1, 2, 6, 7, 10 and 11) is anticipated by U.S. 5,588,338.

- U.S. 4,819,500 discloses a pedal bracket assembly and method of installing same on structural body. The Examiner considers related to the copending application that the present invention (claims 1, 3-5 and 8-13) is obvious in view of U.S. 4,819,500, in view of U.S. 4,883,913 (discussed below).

- U.S. 4,883,319 discloses a sel-locking spacer bushing.
- U.S. 2003/0002918 A1 is the publication of the copending application and discloses a mounting device for pedals in motor vehicles.

Consideration of the references is requested.

Respectfully submitted
for Applicant,

By:



John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM:jms
70477RCE.14

Enclosed: PTO-1449 Form
Copy of International Search Report
(3) References

DATED: March 29, 2004
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, NO.: EV436440699US.

McGLEW AND TUTTLE, P.C.
SCARBOROUGH STATION, SCARBOROUGH, NY 10510-0827

BY: Donna Fonti DATE: March 29, 2004



LIST OF REFERENCES CITED
BY APPLICANT
(Use several sheets if necessary)

Atty Docket No.: 70477RCE
Ser. No.: 10/089,256
Applicant: BURGSTALER et al.
Filing Date: March 26, 2002
Group: 3682

U.S. PATENT DOCUMENTS

| Ex- aminer Initial | Document No. | Date | Name | Class | Sub- class | Filing Date |
|--------------------------|---------------------|-----------------------|--------------------------|-------|---------------|-----------------------|
| | <u>4,648,738</u> | <u>March 10, 1987</u> | <u>Thielen</u> | | | <u>June 14, 1985</u> |
| | <u>5,871,286</u> | <u>Feb. 16, 1999</u> | <u>Kern et al.</u> | | | <u>March 27, 1997</u> |
| | <u>5,069,586</u> | <u>Dec. 3, 1991</u> | <u>Casey</u> | | | <u>Aug. 27, 1990</u> |
| | <u>2,292,128</u> | <u>Aug. 4, 1942</u> | <u>King</u> | | | <u>May 27, 1942</u> |
| | <u>3,091,795</u> | <u>June 4, 1963</u> | <u>Budwig</u> | | | <u>Aug. 5, 1960</u> |
| | <u>5,588,338</u> | <u>Dec. 31, 1996</u> | <u>Carr et al.</u> | | | <u>Nov. 30, 1994</u> |
| | <u>4,819,500</u> | <u>Apr. 11, 1989</u> | <u>Musumiya et al.</u> | | | <u>Mar. 4, 1987</u> |
| | <u>4,883,319</u> | <u>Nov. 28, 1989</u> | <u>Scott</u> | | | <u>Dec. 16, 1988</u> |
| | <u>2003/0002918</u> | <u>Jan. 2, 2003</u> | <u>Burgstaler et al.</u> | | | <u>June 11, 2002</u> |

FOREIGN PATENT DOCUMENTS

| Ex- aminer Initial | Document No. | Date | Country | Class | Sub- class | Translation Yes/No |
|--------------------------|---------------------|----------------------|----------------|-------|---------------|-----------------------|
| | <u>EP 0 625 453</u> | <u>Nov. 23, 1994</u> | <u>Europe</u> | | | <u>No</u> |
| | <u>DE 40 40 151</u> | <u>July 4, 1991</u> | <u>Germany</u> | | | <u>No</u> |

Examiner

Date Considered